

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Frank W. Veit, David W. Zeitler, PhD,
Rhonda J. Verploegen, Andrew R. Black,
Charles W. Bozarth and Clyde Miin-Arng Ko

For : POSITIVE DISPLACEMENT SHOE AND SLAT SORTER
APPARATUS AND METHOD

Atty Docket No. : RAP04 P-574C

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR 1.51, 1.56, 1.97 and 1.98, Applicants submit herewith patents, publications or other information listed on attached Forms PTO-1449 for consideration by the Examiner in connection with examination of the present application.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

Under 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

The Examiner's attention is respectfully directed to the patents, publications and other documents listed on the attached Forms PTO-1449.

United States Patent No. 6,615,972 issued to Veit et al.; United States Patent No. 5,165,515 issued to Nitschke et al.; United States Patent No. 5,127,510 issued to Cotter et al.; United States Patent No. 5,038,912 issued to Cotter; United States Patent No. 5,588,520 issued to Affaticati et al.; United States Patent No. 6,513,642 issued to Shearer,

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Jr. et al.; United States Patent No. 6,167,315 issued to Doane; and United States Patent No. 5,732,814 issued to Owczarzak et al. are commonly assigned with the present application.

United States patent application Serial No. 10/284,591, filed on October 31, 2002, is commonly assigned with the present application.

Applicant respectfully requests that the information cited in the prior parent application, Serial No. 09/968,742, be considered in the present application. With the exception of commonly assigned United States patent application Serial No. 10/284,591 and United States Patent No. 6,478,144, attached hereto, copies of the cited art can be found in one or more of the parent application files.

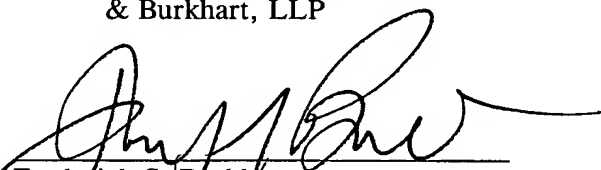
An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

FRANK W. VEIT,
DAVID W. ZEITLER, PH.D.,
RHONDA J. VERPLOEGEN,
ANDREW R. BLACK,
CHARLES W. BOZARTH and
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By: Van Dyke, Gardner, Linn
& Burkhart, LLP

Dated: February 17, 2004.



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RAP04 P-574C

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. RAP04 P-574C	SERIAL NO.
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANTS: Frank W. Veit et al.	
(Use several sheets if necessary)		FILING DATE	GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPRO- PRIATE
	5 1 6 5 5 1 5	11/1992	Nitschke et al.	198	349.95	
	5 1 2 7 5 1 0	07/1992	Cotter et al.	198	372	
	5 0 3 8 9 1 2	08/1991	Cotter	198	370	
	5 5 8 8 5 2 0	12/1996	Affaticati et al.	198	370.06	
	5 7 3 2 8 1 4	03/1998	Owczarzak et al.	198	890	
	6 1 3 9 2 4 0	10/2000	Ando	414	267	
	5 9 6 7 2 8 9	10/1999	Kelsey	198	370.02	
	5 9 2 7 4 6 6	07/1999	Rowley	198	370.03	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLA- TION
						Y N
	0 7 - 6 1 5 7 0	03/1995	Japan			x
	9 - 1 8 3 5 1 7	07/1997	Japan			x

OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL		
	A-1	Photograph taken from a lateral side of a pusher shoe which surrounds a corresponding slot. The corresponding slot is not shown, but has an outer surface configuration that substantially conforms to the interior surface of the illustrated shoe. The shoe in the photograph should be considered prior art under 35 U.S.C. § 102(b) to the present application.
		Hesselink (Verploegen), Rhonda J. (inventor in present application), undergraduate thesis entitled "Theoretical and Practical Application of Linear Motors in Linear Positive Package Sorting Machines," Jun., 2000.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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		5	6	1	3	5	9	1	03/1997	Heit et al.	198	370.02	
		5	4	2	7	2	2	3	06/1995	Van Den Goor	198	365	
		5	4	0	9	0	9	5	04/1995	Hoshi et al.	198	372	
		5	2	8	5	8	8	6	02/1994	Ostholt, Rüdiger et al.	198	370	
		4	7	3	2	2	6	0	03/1988	Canziani	198	365	
		3	8	0	7	3	1	0	04/1974	Slemmons	104	148 R	
		4	7	7	0	2	9	1	09/1988	Shaw	198	851	
		4	9	3	2	5	1	5	06/1990	Stöhr	198	822	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLA- TION	
													Y	N
	9	-	1	8	3	5	1	8	07/1997	Japan			x	
	9	-	1	1	0	1	4	9	04/1997	Japan			x	

OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL		
		Commonly assigned U.S. patent application Ser. No. 10/284,591, filed on October 31, 2002, entitled CONVEYOR SYSTEM WITH DIVERTING TRACK NETWORK (RAP04 P-628B).

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		6	2	9	2	7	1	0 B1	09/2001	Bonnet	700	230	
		5	2	9	5	5	6	8	03/1994	Saito et al.	198	330	
		4	6	7	5	5	8	2	06/1987	Hommes et al.	318	38	
		4	8	0	0	8	1	8	01/1989	Kawaguchi et al.	104	290	
		4	9	7	3	8	9	2	11/1990	Murata et al.	318	135	
		3	3	6	1	2	4	7	01/1968	Lauzon et al.	198	38	
		5	4	3	5	4	2	9	07/1995	Van Den Goor	198	890.1	
		5	6	5	7	8	5	8	08/1997	Van Den Goor	198	890	

FOREIGN PATENT DOCUMENTS

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													Y	N
	9	-	2	9	0	9	1	4	11/1997	Japan			x	
		9	-	5	2	6	2	1	02/1997	Japan			x	

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	5 9 0 9 7 9 7	06/1999	Van Den Goör	198	370.02	
	5 1 9 9 5 4 8	04/1993	Tanaka et al.	198	502.4	
	5 2 1 8 2 7 7	06/1993	Pattison et al.	318	135	
	5 9 7 5 2 7 7	11/1999	Skarlupka	198	370.04	
	3 4 2 6 8 8 7	02/1969	Ward et al.	198	177	
	3 7 8 8 4 4 7	01/1974	Stephanoff	198	41	
	5 1 7 2 8 0 3	12/1992	Lewin	198	619	
	5 0 8 8 5 9 3	02/1992	Lewin	198	619	

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLA- TION
						Y N
4	- 2 2 3 9 2 1	08/1992	Japan			Abstract Only
7	- 3 1 5 5 6 1	12/1995	Japan			Abstract Only

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		4	5	2	6	2	7	1	07/1985	Finnighan	198	648	
		4	1	3	8	0	0	8	02/1979	Del Rosso	198	365	
		4	7	6	0	9	0	8	08/1988	Houghton	198	365	
		5	1	6	7	3	1	5	12/1992	Doane	198	370	
		5	1	9	1	9	5	9	03/1993	Leemkuil	198	372	
		5	3	3	3	7	1	5	08/1994	Sapp	198	372	
		6	5	1	3	6	4	2	02/2003	Shearer, Jr. et al.	198	370.02	
		6	4	7	8	1	4	4	11/2002	Sweazy	198	890	

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													Y	N
		0	-	1	0	3	5	1	8	04/2000	Japan		Abstract Only	
		8	-	3	1	9	0	2	1	12/1996	Japan		Abstract Only	

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						Y	N
	0 - 1 1 8 6 9 9	04/2000	Japan				x
	11 - 1 9 3 1 2 8	07/1999	Japan				x
	7 - 3 2 3 9 1 1	12/1995	Japan				X
	Title: CONVEYOR SYSTEM WITH LATERAL MOTION CAPABILITY (Inventor: A. Kimura)		10/1986	Japan		x	
	57 - 1 1 2 2 2 3	07/1982	Japan			x	
	2 - 8 6 9 2 3	07/1990	Japan			x	
	0 6 0 2 6 9 4 B1	03/1998	EPO				
	0 7 9 2 8 2 4	07/2000	EPO				
	0 2 1 2 0 2 7 A1	03/1987	EPO				

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLA- TION	
						Y	N
	0 0 / 6 8 1 2 5	11/2000	World			Abstract Only	
	0 0 / 4 8 7 3 9	08/2000	World				
	0 6 4 8 6 9 4 B1	12/1998	EPO			x	
	4 3 4 2 8 5 1 C2	09/1995	Germany				x
	0 4 4 4 7 3 4 B1	05/1994	EPO				
	2 2 4 2 4 0 9 A	10/1991	UK				
	2 0 5 7 3 8 1 A	04/1981	UK				
	2 7 4 5 2 9 8 C2	01/1987	Germany				x
	1 9 8 5 2 9 2 6 A1	05/2000	Germany				x

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